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NATIONAL TOBACCO COMPANY, LP

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

RAYMOND RILEY p.k.a. Boots Riley,
SOLOMON DAVID and MARLON IRVING
p.k.a. Lifesavas,

Plaintiffs,

v.

NATIONAL TOBACCO COMPANY, LP,

Defendant.

Case No. C-08-01931

**DECLINATION TO PROCEED
BEFORE A MAGISTRATE JUDGE
AND
REQUEST FOR REASSIGNMENT TO
A UNITED STATES DISTRICT JUDGE**

REQUEST FOR REASSIGNMENT TO A UNITED STATES DISTRICT JUDGE

The undersigned party hereby declines to consent to the assignment of this case to a United States Magistrate Judge for trial and disposition and hereby requests the reassignment of this case to a United States District Judge.

Dated: April 22, 2008

BAKER & McKENZIE LLP
BRUCE H. JACKSON
IRENE V. GUTIERREZ

By: _____/s/
Bruce H. Jackson
Counsel for Defendant
NATIONAL TOBACCO COMPANY, LP

CERTIFICATE OF SERVICE BY MAIL

I am a citizen of the United States and employed in San Francisco County, California. I am over the age of eighteen years and not a party to the within-entitled action. My business address is Two Embarcadero Center, 11th Floor, San Francisco, California 94111-3802. I am readily familiar with this firm's practice for collection and processing of correspondence for mailing with the United States Postal Service. On April 22, 2008, I placed with this firm at the above address for deposit with the United States Postal Service a true and correct copy of the within document(s):

**DECLINATION TO PROCEED BEFORE A MAGISTRATE JUDGE
AND REQUEST FOR REASSIGNMENT TO A UNITED STATES
DISTRICT JUDGE**

in a sealed envelope, postage fully paid, addressed as follows:

Anthony E. McNamer, Esq.
McNamer and Company P.C.
519 S.W. Third Avenue, Suite 601
Portland, OR 97204-2534

Following ordinary business practices, the envelope was sealed and placed for collection and mailing on this date, and would, in the ordinary course of business, be deposited with the United States Postal Service on this date.

I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

Executed on April 22, 2008, at San Francisco, California.

/s/
Christine von Seeburg